

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

MARY FRANCES SWANSON, *et al.* §  
v. § CIVIL ACTION NO. 6:12CV135  
TONDA HARRIS HELMS §

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contain her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (document [#13](#)) recommends that the complaint be dismissed with prejudice for lack of subject matter jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1). No written objections have been filed. Mail sent to Plaintiffs by the Court at the most recent address provided was returned as undeliverable. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that the complaint is **DISMISSED** with prejudice for lack of subject matter jurisdiction pursuant to Fed.R.Civ.P. 12(b)(1). Any motion not previously ruled on is **DENIED**.

**It is SO ORDERED.**

**SIGNED** this 10th day of September, 2012.



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE